

## REMARKS/ARGUMENTS

### **Claim Amendments**

The Applicant has amended claims 1-3, 6-7, and 13-16. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-10 and 13-22 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **Claim Rejections – 35 U.S.C. § 102(b)**

Claims 1-4, 6-7, 13-16 and 18-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ahola, et al (hereinafter, Ahola), Publication WO9918713. The Applicant respectfully traverses the rejection of these claims.

The Applicant's application discloses a method and system for applying vouchers that may not be valued in monetary terms. A subscriber is provided with a "flexible voucher list" (FVL) containing records; each record comprising an ID and a list of vouchers. The vouchers associated with each record, and accordingly with the subscriber, can be "in kind" types of vouchers. These "in kind" vouchers can be used in promotions and can include, for instance, a number of SMS messages, a free MMS message for every paid for MMS message sent. Since the set value for an SMS message may be different at different times and places it is not completely feasible to translate a promotion into a money amount. For example, "60 minutes of calls towards the numbers in area 08" may not provide a full value as these calls have different prices at different times. (page 2, lines 31-35)

So, the Applicant's claimed invention provides records containing vouchers that are priced in non-monetary terms such as minutes, number of SMS messages, MMS messages, etc.; that is, vouchers that are denominated in types of value other than money. These vouchers may be debited to a subscriber's account in the same terms as the vouchers are labeled without having to convert them to a money amount.

The Ahola reference discloses a method and arrangement for paying calls using an intelligent network. A loading service is accessed through a user interface and a requested amount of balance is reduced from a record stored in the IN and associated

with the user. The requested amount is loaded by a loading service into a user account from which the cost of a prepaid call or service is paid. (Abstract)

The Applicant respectfully directs the Examiner's attention to amended claim 1.

1. (Previously Presented) A method for changing the service level for a subscriber in an electronic communication network, comprising the steps of:

creating a flexible voucher list (FVL) associated with the subscriber and comprising a sequence of voucher records for one or more services, wherein each record comprises a quantity of vouchers and a voucher type identification parameter for association with the one or more services, and

associating said sequence of records with a subscriber for usage by said subscriber when utilizing said one or more services. (emphasis added)

The Applicant has amended claim 1 to clear up confusing terminology such as "a voucher quantity of vouchers" (support for the amendment is found in Fig. 2). Also, the term "flexible voucher list" was included to more clearly define the limitations. The Applicant respectfully asserts that the Ahola reference does not disclose the use of a flexible voucher list that comprises a sequence of voucher records with each record comprising a quantity of vouchers and an associated voucher ID.

Ahola is cited for disclosing "creating one or more voucher records". The Applicant has reviewed the Ahola reference and respectfully disagrees with the characterization of the cited portion. The portion dealing with records is different from the voucher records of the Applicant's disclosure. The voucher record of the Applicant's invention is defined as a "quantity of vouchers and an identification parameter for association with one or more services". The referenced portion of Ahola deals with database records that identify a particular voucher and the subscriber associated with that voucher. This is different from the Applicant's voucher records as defined in the specification and claim 1 itself. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 1 and the respective dependent claims 2-4 and 6-7.

Claim 13 is analogous to claim 1 and contains similar limitations. The Applicant respectfully requests the withdrawal of rejection of claim 13 and the respective depending claims 14-16 and 18-19.

**Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 5, 8-10, 17, and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ahola et al (Ahola), Publication WO9918713, in view of Rand, et al. (Rand), Publication WO0139092. The Applicant respectfully traverses the rejection of these claims.

The Rand reference discloses a billing system for monitoring and recording use of a provider supplied media system. The system is used for providing billing based on subscriber use, or pro rata basis. A subscriber may be charged a fee to view a selection of programming content without viewing commercial advertisement interruption. In other words, the subscriber may pay for content less than the total content available and be billed a commensurate amount.

The Applicant respectfully asserts that neither Ahola nor Rand, individually or in combination, disclose the limitations of amended claims 1 and 13; those limitations describing the use of a flexible voucher list that comprises a number of records containing vouchers in non-monetary denominations. The vouchers of the Applicant's invention may be debited from the voucher list in the same denomination as the voucher itself without having to convert to a monetary value. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claims 5, 8-10, 17 and 20-22.

**CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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